

**MINUTES
OF THE JOINT MEETING OF THE
EDINA CITY COUNCIL
AND THE EDINA HOUSING AND REDEVELOPMENT AUTHORITY
HELD AT CITY HALL
NOVEMBER 20, 2001
7:00 P.M.**

ROLLCALL Answering rollcall were Members Housh, Hovland, Masica and Mayor Maetzold.

CONSENT AGENDA ITEMS APPROVED Motion made by Member Housh and seconded by Member Masica approving the Council Consent Agenda as presented with the exception of the Minutes of the Regular Meeting of November 5, 2001, and Agenda Item V.A. Playground Safety Surface Installation for eleven parks.

Rollcall:

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

MINUTES OF THE REGULAR MEETING OF NOVEMBER 5, 2001, APPROVED Member Masica questioned the vote made by Member Hovland on the Hennepin South Services Collaborative Plan Update. Member Hovland stated the vote as depicted in the Minutes of November 5, 2001, was correct. **Motion made by Member Masica and seconded by Member Housh approving the Minutes of the Regular Meeting of the Edina City Council for November 5, 2001.**

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

RESOLUTION NO. 2001-89 APPROVING SPECIAL ASSESSMENTS: ASSESSMENTS LEVIED Affidavits of Notice were presented, approved and ordered placed on file. Due notice having been given, public hearings were conducted and action taken as recorded on the following proposed assessments:

1. SOUND WALL ABATEMENT IMPROVEMENT NO. SA-1 AND SA-2

LOCATION: T.H. 169 and INDIAN HILLS

Analysis of Assessment for Sound Wall Abatement Improvement No. SA-1 and SA-2 was \$128,710.06, based upon a four-tier assessment formula designed by the petitioners. Individual assessments range from \$2,978.34 per lot to \$7,872.00 per lot. The project included construction of a concrete wall designed to look like wood. The columns and a small amount of caulking remain to be completed. The remaining items will be the City's contribution to the project. The term of the special assessment would be twenty years beginning in 2002.

No written or public comments were received.

Member Housh made a motion seconded by Member Hovland closing the public hearing on Improvement Nos. SA-1 and SA-2.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

Motion made by Member Masica and seconded by Member Housh approving the assessment of Improvement No. SA-1 and SA-2, as presented.

Rollcall:

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried. (Assessment levied by Resolution later in Minutes)

2. MAINTENANCE IMPROVEMENT NO. M-01 - 50TH & FRANCE AVENUE BUSINESS DISTRICT

Location: 50TH STREET AND FRANCE AVENUE BUSINESS DISTRICT

Analysis for Assessment for Maintenance Improvement No. M-01 showed a total maintenance cost of \$80,375.37 against 339,561 assessable square feet at \$0.2367 per square foot. One-year assessment payable in 2002.

No oral or written objections were heard.

Motion made by Member Hovland, seconded by Member Masica closing the hearing for assessment of Improvement No. M-01.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

Motion made by Member Hovland and seconded by Member Masica approving the assessment of Improvement No. M-01 as presented.

Rollcall:

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried. (Assessment levied by Resolution later in Minutes)

3. WEED TRIMMING ASSESSMENT NO. WM-01

Analysis of Assessment: One property owner assessed \$75.00 for trimming weeds at 6140 Brookview. One year assessment payable in 2002.

No oral or written objections were heard.

Motion made by Member Housh, seconded by Member Hovland closing the hearing for assessment of Improvement No. WM-01.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

Motion made by Member Hovland and seconded by Member Masica approving the assessment of Improvement No. M-01 as presented.

Rollcall:

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried. (Assessment levied by Resolution later in Minutes)

Member Hovland introduced the following resolution and moved its adoption:

**RESOLUTION NO. 2001-89
RESOLUTION LEVYING SPECIAL ASSESSMENTS
FOR VARIOUS PUBLIC IMPROVEMENTS AND PROJECTS**

WHEREAS, pursuant to proper notice duly given as required by law, the Edina City Council has met and heard and passed upon all written and oral objections to the proposed assessments for improvements listed below:

Sound Wall Abatement Improvements No. SA-1 & SA-2

Maintenance Improvement No. M – 01

Weed Trimming Improvement No. WM – 01

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, as follows:

1. Each assessment as set forth in the assessment rolls on file in the office of the City Clerk for each aforementioned improvement is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the improvement in the amount of the assessment levied against it.

2. The assessment shall be payable in equal installments, the first of said installments together with interest at a rate of seven and one-half percent ($7\frac{1}{2}\%$) per annum, on the entire assessment from the date hereof to December 31, 2002, to be payable with the general taxes for the year 2002. To each subsequent installment shall be added interest at the above rate for one year on all unpaid installments. The number of such annual installments shall be as follows:

<u>NAME OF IMPROVEMENT</u>	<u>NO. OF INSTALLMENTS</u>
Sound Wall Abatement Improvements No. SA-1 Levy No. 15226	20 years
Sound Wall Abatement Improvements No. SA-2 Levy No. 15227	20 years
Maintenance Improvement No. M – 01 Levy No. 15223	1 year
Weed Trimming Improvement No. WM – 01 Levy No. 15285	1 year

3. The owner of any property so assessed may, at any time prior to certification of assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Treasurer, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution and they may, at any time thereafter, pay to the City Treasurer the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the next succeeding year.

4. The clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County. Such assessment shall be collected and paid over in the same manner as other municipal taxes.

Adopted this 20th day of November 2001.

Member Housh seconded the motion.

Rollcall:

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

***VACATION OF STREET - PORTION OF SPRUCE ROAD CONTINUED TO DECEMBER 18, 2001** Motion made by Member Housh and seconded by Member Masica to continue the vacation of street, a portion of Spruce Road to December 18, 2001.

Motion carried on rollcall vote - four ayes.

ORDINANCE NO. 2001-8 APPROVED - AMENDING SECTION 900 LIQUOR OF THE CITY OF EDINA CODE OF ORDINANCES Manager Hughes explained at the regular meeting of the Council on November 5, 2001, the Council granted first reading of Ordinance No. 2001-8 eliminating the requirement that a licensed manager must be present at all times when alcoholic beverages were being served in restaurants holding wine or intoxicating liquor licenses. Staff recommends the Council grant second reading to the subject Ordinance.

Member Hovland introduced Ordinance No. 2001-8 and moved its adoption:

**EDINA ORDINANCE NO. 2001 - 8
AN ORDINANCE AMENDING SECTION 900
OF THE EDINA CITY CODE**

THE CITY COUNCIL OF THE CITY OF EDINA ORDAINS:

Section 1. Paragraph I of Subsection 900.04 License Types is deleted

Section 2. Subsection 900.05 is amended to read as follows:

"900.05 License Application; Renewal. An application for any license required by this Section or the renewal of an existing license shall be made on forms provided by the Clerk. The provisions of Section 160 of this Code, shall apply to all licenses required by this Section, and to the holders of such licenses, except that licenses and renewals shall be granted or denied in accordance with Subsection 900.06. All applications shall be accompanied by the fees set forth in Subsection 900.07. Every license issued under this Section shall expire at 12:01 A.M. on April 1 following its date of issuance. Renewal applications shall be submitted at least 60 days but not more than 150 days before expiration of the license. If, in the judgment of the Council as to off-sale and on-sale licenses, good and sufficient cause for the applicant's failure to apply for a renewal within the time provided is shown, the Council, may, if the other provisions of this Section are complied with, grant the license. In addition to the application requirements provided in Section 160 of this Code, applicants shall also provide the following:"

Section 3. Paragraph H of Subsection 900.05 is amended to read as follows:

"H. In the case of an application for a Wine License, or On-Sale Intoxicating Liquor License, the applicant shall provide evidence satisfactory to the Clerk as to compliance with the requirements of Subd. 2 of Subsection 900.12 as to the completion of an alcohol awareness program;"

Section 4. Paragraph I of Subsection 900.05 is amended to read as follows:

"I. In the case of an application for a Wine License or On-Sale Intoxicating Liquor License, the applicant shall provide evidence satisfactory to the Clerk as to compliance with the requirements of Subd. 3 of Subsection 900.12 as to the percentage of food sold on the licensed premises. This requirement shall be established by an affidavit of the licensee on a form provided by the Clerk. The affidavit shall be given with each application for issuance or renewal on a Wine License or an On-Sale Intoxicating Liquor License, or at other times as the Clerk may request. If the application is for the renewal of a Wine License or an On-Sale Intoxicating Liquor License, the affidavit shall also include the actual percentage of gross receipts attributable to the sale of food during the immediately preceding 12 month period. The Clerk shall require that any such affidavit be verified and confirmed, on a form provided

by the Clerk, by a Certified Public Accountant. Failure or refusal of a licensee to give such affidavit with such application, or on request of the Clerk, or any false statement in any such affidavit, shall be grounds for denial, suspension or revocation of all licenses held by such licensee."

Section 5. Subsection 900.06 is amended to read as follows:

"900.06 Consideration of Application; Public Hearing. The provisions of Section 160 of this Code shall apply to all licenses required by Subsection 900.04 and to the holders of such licenses, provided that all licenses shall be granted or denied by the City Council and the Commissioner, if required by State law. The City Council shall conduct a public hearing on the application for a new On-Sale Intoxicating Liquor License within a reasonable period following receipt of a complete application and completion of the investigation required by Subsection 900.05. A notice of the date, time, place and purpose of the hearing shall be published once in the official newspaper not less than ten days before the date of the hearing. After hearing the oral and written views of all interested persons, the Council shall make its decision at the same meeting or at a specified future meeting. No hearing shall be required for the renewal or the transfer of an On-Sale Intoxicating Liquor license."

Section 6. Subdivision 4 of Subsection 900.07 is amended to read as follows:

"Subd. 4 Investigation Fees. Upon application for a new or the transfer of an existing Wine License, On-Sale Intoxicating Liquor License, On-Sale 3.2 Liquor License or Off-Sale 3.2 Liquor License, the applicant shall deposit \$500.00 with the City for the investigation fee. If the investigation requires an out-of-state investigation, an additional \$2,000.00 shall be deposited before further processing of the application by the City. The Clerk may from time to time require the deposit of additional investigation fees up to the limits provided herein before further processing of the application if the cost of investigation exceeds the amounts previously deposited. The cost of the investigation shall be based on the expense involved, but in no event shall it exceed \$500.00 if the investigation is limited to the State or \$10,000.00 if outside the State. All deposited monies not expended on the investigation shall be refunded to the applicant. All investigative expenses incurred in excess of the deposit shall be paid prior to consideration of the license application by the Council. Investigation fees for license renewal shall not exceed \$200.00 unless there is a change of ownership of more than 10% cumulatively over the then existing license period."

Section 7. Subdivision 2 of Subsection 900.12 is deleted and Subdivision 3, 4, 5, 6, 8, 9, 10 and renumbered as Subdivision 2, 3, 4, 5, 6, 7, 8, and 9.

Section 8. Paragraph C of Subdivision 2 of Subsection 900.12 is deleted

Section 9. Section 185 Schedule A is hereby amended by deleting the fee for "Manager's License, Per Person Per Year of \$82.00".

Section 10. Effective Date: This ordinance shall be in full force and effect upon adoption and publication according to law.

Passed and adopted this 20th day of November, 2001.

First Reading: November 5, 2001

Second Reading: November 20, 2001

Published in Edina Sun Current: November 28, 2001

Attest

City Clerk

Mayor

Member Housh seconded the motion.

Rollcall:

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Ayes: Housh, Hovland, Masica, Maetzold
Ordinance adopted.

AWARD OF BID FOR PLAYGROUND SAFETY SURFACE INSTALLATION FOR ELEVEN PARKS APPROVED

Member Hovland removed the award of bid from the Consent Agenda for playground safety surface installation for eleven parks for further information. He questioned what the life expectancy was of the materials being installed and whether it had a warranty. Director Keprios explained there was a two-year warranty on the parts and labor and the product was expected to last ten years.

Motion made by Member Housh approving the request for playground safety surface installation for eleven parks to recommended low bidder, Flanagan Sales, Inc., at \$52,388.00. Member Hovland seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold
Motion carried.

***TRAFFIC SAFETY STAFF REVIEW OF NOVEMBER 5, 2001, APPROVED** Motion made by Member Housh and seconded by Member Masica approving the Traffic Safety Staff Review of November 5, 2001, Section A:

1. Installation of pedestrian crosswalk connecting the north entrance of St. Peter's Church and School (5621 France Avenue) on West Fuller Street with the parking lot on the south side of West Fuller Street;
2. Installation of new STOP signs required for the Braemar Arena area due to the new Trunk Highway 169 Frontage Road as requested by the Engineering Department;
3. Installation of STOP signs for Grandview Square at the exits to Eden Avenue and Sherwood Avenue, as requested by the Engineering Department;
4. Installation of various signage for France Avenue between West 49 1/2 Street and West 50th Street on the west of Edina side of the street:
 - a. ONE HOUR PARKING restrictions - seven days a week
 - b. NO PARKING - 4 PM - 6 PM, Monday through Friday
 - c. NO TURN restrictions for northbound France Avenue to westbound 50th Street and southbound France to westbound 50th Street; and

Section B and C.

Motion carried on rollcall vote - four ayes.

COMMUTER RAIL PRESENTATION Mr. Hughes informed the Council that representatives of Dakota County and Parsons, Brinckerhoff would present final Findings and Recommendations with respect to the Dan Patch Corridor Feasibility Study. The Findings and Recommendations have been adopted by the I-35W Solutions Alliance as well as the Dakota County Rail Authority. He stated staff concurred with the Findings and Recommendations. Mr. Hughes explained representatives of the County conducted an open house with the consultant team, to answer questions residents had concerning the Findings and Recommendations.

Stephanie Eihler, of Parsons, Brinckerhoff introduced Scott Peters, Dakota County Project Manager. Ms. Eihler gave an overview of the:

- Purpose of Study
- Approach to Study

- Findings and
- Recommendations as presented in the Dan Patch Corridor Commuter Rail Feasibility Study, dated October 15, 2001, and as submitted to the Dakota County Regional Railroad Authority by Parsons Brinckerhoff.

Ms. Eihler said as recommended, the real and perceived adverse impacts to adjoining land uses and the cost of improving the right-of-way and operating the system make corridor improvements impractical at the present time. Mn/DOT, the Metropolitan Council and the cities and counties within the Dan Patch corridor should first explore and promote other transit and transportation improvements.

Following a Council discussion, **Member Hovland made a motion approving the Findings and Recommendations with respect to the Dan Patch Corridor Feasibility Study as presented by Parsons Brinckerhoff.** Motion seconded by Member Masica.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

RESOLUTION NO. 2001-85 APPROVED - SUPPORTING LEGISLATION LIMITING PHOSPHATES IN LAWN FERTILIZER Sanitarian Velde explained at the November 5, 2001, regular Council meeting, the Council asked staff to outline the issues of supporting legislation restricting the sale of lawn fertilizer, containing phosphorous within a resolution.

Member Masica introduced the following resolution and moved its adoption.

RESOLUTION NO. 2001- 85

**A RESOLUTION RELATING TO RESTRICTIONS ON THE RESIDENTIAL
USE AND SALE OF PHOSPHOROUS LAWN FERTILIZERS**

WHEREAS, The City of Edina is tributary to significant fresh water resources; and

WHEREAS, there has long been established a well-documented relationship between the residential use of phosphorous lawn fertilizers and the degradation of water quality; and

WHEREAS, as a matter of policy, the City of Edina desires to reduce the residential consumption and use of phosphorous lawn fertilizers; and

WHEREAS, subject to unique circumstances, regional soil conditions have an abundance of natural phosphorous; and

WHEREAS, some turf conditions found on golf courses and certain soil conditions may benefit from the application of limited amounts of phosphorous; and

WHEREAS, the City of Edina finds it important to encourage the reduction in the residential use of phosphorous lawn fertilizers within the City;

NOW THEREFORE BE IT RESOLVED that the City of Edina supports legislation regulating the sale of lawn fertilizer, liquid or granular for residential use that contains phosphorous or other compounds containing phosphorous, such as phosphate. Such legislation should strive to limit the amount of phosphorous applied to residential properties while recognizing that some conditions benefit from limited phosphorous applications.

BE IT FURTHER RESOLVED, the City Council of Edina does request and encourage its state legislative delegation to consider and enact legislation to regulate and limit the use and sale of phosphorous lawn fertilizers for residential use.

ADOPTED by the City of Edina 20th day of November 2001. Member Hovland seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

***RESOLUTION NO. 2001-86 APPROVED - 2002 AGREEMENT WITH HENNEPIN COUNTY - ASSESSING COMPUTERIZATION** Member Housh introduced the following resolution seconded by Member Masica:

RESOLUTION NO. 2001-86

A RESOLUTION AUTHORIZING

**EXECUTION OF AN AGREEMENT WITH HENNEPIN COUNTY
FOR ACCESS BY THE CITY OF COMPUTERIZED DATA FILES**

WHEREAS, Hennepin County has submitted an Agreement (Contract No. A 16251) to the City of Edina requesting execution by the Mayor and City Manager, allowing the City of Edina access to the Hennepin County computerized data files; and

WHEREAS, the Agreement (Contract No. A 16251) rates will go into effect on January 1, 2002 and remain in effect until December 31, 2002.

NOW, THEREFORE, the Edina City Council has authorized the Mayor and City Manager to sign the Agreement and return a certified copy to Hennepin County.

Adopted this 20th day of November 2001.

Motion carried on rollcall vote – four ayes.

***RESOLUTION NO. 2001-88, SETTING HEARING DATE SET OF DECEMBER 18, 2001, TO ESTABLISH REDEVELOPMENT PLAN AREA AND REDEVELOPMENT PROJECT - CITY HALL AND PUBLIC SAFETY FACILITIES** Member Housh introduced the following resolution, seconded by Member Masica:

RESOLUTION NO. 2001-88

**RESOLUTION CALLING FOR PUBLIC HEARING ON
PUBLIC FACILITIES REDEVELOPMENT PLAN AND
REDEVELOPMENT PROJECT**

BE IT RESOLVED by the City Council of the City of Edina, Minnesota as follows:

1. The Housing and Redevelopment Authority in and for the City of Edina, Minnesota (the "HRA") has proposed that the HRA and the City approve a redevelopment plan, as defined in Minnesota Statutes, Section 469.002, subdivision 16, to be designated as the Public Facilities Redevelopment Plan (the "Redevelopment Plan"), and a redevelopment project to be undertaken pursuant thereto, as defined in Minnesota Statutes, Section 469.002, subdivision 14, to be designated as Public Facilities Redevelopment Project No. 1 (the "Redevelopment Project"), in connection with the construction by the HRA of public facilities to be leased by the HRA to the City.

2. A public hearing on the Redevelopment Plan and the Redevelopment Project is hereby called and shall be held on December 18, 2001, at 7:00 P.M. in the City Council Chambers at the Edina City Hall. The City clerk shall cause notice of the public hearing to be published in the official newspaper of the City at least once not less than ten (10) days or more than thirty (30) days prior to the date fixed for the public hearing.

Passed by the Council this 20th day of November 2001.

Motion carried on rollcall vote – four ayes.

OFF-SALE 3.2 LICENSE FOR EDINA MARKET AND DELI APPROVED Mr. Hughes explained the Edina Market and Deli at 7102 Amundson Avenue, formerly Kenny's Market, applied for an off-sale 3.2 liquor license. The Police Department has completed their investigation with no negative findings.

Member Hovland made a motion approving the off-sale 3.2 liquor license for the Edina Market and Deli at 7102 Amundson Avenue. Member Masica seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

RESOLUTION NO. 2001-90 APPROVED - I-494 ENVIRONMENTAL IMPACT STATEMENT REPORT PRESENTED Engineer Hoffman introduced Christopher Roy, Area Project Engineer, Mn/DOT - Metro Division. Mr. Hoffman presented the Final Environmental Impact Statement and Section 4(F)/6(F) Evaluation of I-494 from I-394 to the Minnesota River (EIS). The original EIS has not received final approval because of a lack of funding to support the improvements. The new EIS improvements were scaled down in some locations but the primary lane construction was equal to or better than the 1992 plan. An example of this was the section between T.H. 100 and T.H. 5 along I-494. The new cross-section would add a new through lane, a new auxiliary lane and a shoulder/bus lane combination. In essence, it would be an eight-lane facility with a bus shoulder lane versus the current four-lane facility.

Edina would be impacted in these ways:

1. Add ramps from East Bush Lake Road to I-494 for west bound on-ramp and east bound off-ramp traffic greatly enhancing mobility to the west with less reliance on the current slip-ramp at West 78th and T.H. 169.
2. A sound wall would be planned for Poppy Lane at T.H. 100 and 77th Street interchange
3. A direct off-ramp for west bound I-494 traffic onto the east frontage road of T.H. 100 eliminating the need for traffic to travel through the West 77th Street/Highway 100 interchange.
4. No major storm drainage issues would be created by the projects.
5. A loss of one movement from 77th Street interchange with T.H. 100 for motorists heading for east bound I-494. That movement would occur through an enhanced East Bush Lake interchange improvement.

The mainline and interchange improvements would improve, 1) capacity, 2) public safety, and 3) general congestion problems. The improvements would also aid in controlling air pollution arising from idling vehicles on the freeway and local congestion in city streets.

Mr. Hoffman stated staff recommended support of the final EIS report and encouraged Federal and State officials to provide funding to construct improvements as planned.

Mr. Roy updated the Council on the schedule of the project approved by the Federal Highway Administration (FHWA) on August 15, 2001, adding that the project will begin in the spring of 2002 with an anticipated completion date of late 2003 or early 2004.

Following a brief Council discussion, **Member Hovland introduced the following resolution and moved its adoption:**

RESOLUTION NO. 2001-90

I-494 FINAL ENVIRONMENTAL IMPACT STATEMENT

WHEREAS, a Final Environmental Impact Statement (FEIS), for I-494 Reconstruction from I-394 to the Minnesota River has been prepared jointly by the Minnesota Department of Transportation (Mn/DOT), and the Federal Highway Administration; and

WHEREAS, Mn/DOT has conducted an informational hearing on the FEIS to provide the opportunity for testimony by all individuals, businesses, agencies, and municipalities that may be affected by the proposed reconstruction; and

WHEREAS, this Council has reviewed the FEIS as presented at the November 20, 2001, Council Meeting.

BE IT RESOLVED, that the City Council of the City of Edina, Minnesota, hereby submits the following comments on the I-494 FEIS:

- 1. City Council supports the Final EIS with the following expectations:**
 - A. OFF AND ON RAMPS for East Bush Lake Road for westerly access will be provided in the project.**
 - B. Appropriate sound mitigation will occur such as the Poppy Lane sound wall.**
 - C. Exit ramp will be provided for west bound I-494 to the T.H. 100 East Frontage Road to avoid additional traffic using West 77th and T.H. 100 interchange.**
- 2. City Council supports initiative that seeks and obtain necessary funding at the State and Federal levels to implement projects identified in the I-494 FINAL EIS.**

Passed and adopted this 20th day of November, 2001.

Member Housh seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

T.H. 62/I-35W STATUS REPORT Mr. Hoffman explained the State Legislature passed a crosstown 2002 Project Memorandum. A technical committee composed of transportation staff from several agencies worked with Mn/DOT and their consultants Parsons/ Brinckerhoff on reviewing a proposal created as a result of the moratorium. An advisory panel consisting of state legislators, county board members, and city council members was currently reviewing the project proposals developed by the technical team. Senator Terwilliger has been an active member of the advisory committee.

On November 14, 2001, the Mn/DOT and consulting team provided a presentation to the advisory team. Elwyn Tinklenberg, the Commissioner of Highways, provided the general findings to the advisory committee, as follows:

1. No significant closures for construction – two to eight weeks
2. Increase capacity with two full lanes for the Crosstown 62 each way
3. One new lane for 35W and one HOV lane north of project area to downtown Minneapolis
4. The need for a complete HOV system from Burnsville to downtown Minneapolis
5. Some additional right-of-way required (estimate was at 8-10 homes)
6. The cost increase for the new alternative will be in the 40% to 50% range

Tom O'Keefe, Mn/DOT Area Manager, explained he was in attendance because the project as presented a year ago had problems. The legislature passed a bill that halted the project for a

minimum of one year and required Mn/DOT to hire an advisory committee and a technical committee as follows:

I-35W/Crosstown Study - Advisory Committee:

- Hennepin County
- City of Minneapolis
- City of Richfield
- Senators (Commuter and City Interest)
- Representatives (Commuter and City Interests)
- Met Council
- Mn/DOT

I-35W/Crosstown Study – Technical Committee:

- Hennepin County
- City of Minneapolis
- City of Richfield
- Bloomington
- Edina
- Met Council
- Mn/DOT

I-35W Legislative Language:

- 20 Year Growth Projections
- Operational Analysis (existing and concepts)
- Road Pricing (tolling)
- Transit
- Funding Availability
- Coordination with Other Projects
- Alternatives

I-35W Crosstown Study – Alternative Costs:

- Reduce Closure Times of Key Movements
- Increase Capacity
- Maintain Access (66th, Lyndale, Diamond Lake Road, etc.)
- Minimize Additional Right-of-Way Takings
- Maximize Use of Construction Staging

I-35W Crosstown Study – Alternatives:

- Tunneling and Stacking
- Original Mn/DOT Project
- Study Concept

I-35W Crosstown Study – Study Concept:

- Reduction of Closures (from 42+ months down to several weeks)
- Increase Capacity:
 1. Two thru lanes on east bound and west bound Crosstown
 2. East bound 62 to north bound 35W – additional lane to 46th Street
- Access Improvements:
 1. 66th Street, Lyndale, Diamond Lake Road
- Safety Improvement:
 1. Left hand exits eliminated
 2. T.H.62/I-35W weave eliminated

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- Neighborhood Benefits
 1. Reduction of traffic on local streets
 2. Diversion of traffic reduced during construction
 3. Air quality improved over no-build
- Transit
 1. Importance of corridor
- Additional Right-of-way
 1. 6-12 additional homes
- Cost
 1. Increase cost of 30% to 50%
- Timetable to Deliver
 1. Traditional Process 2005
 2. Review of faster delivery techniques

After a brief discussion, Council consensus was to accept the report and to encourage the State Legislature to fund the proposal as presented.

No formal action was taken by the Council.

APPOINTMENTS MADE TO BOARDS AND COMMISSIONS Mayor Maetzold explained applications have been received from two students interested in serving on Boards, Commissions, and Committees. He suggested appointing Becky Amlaw to serve on the Art Center Board, and Allyson Grande to serve on the Park Board, terms to 10/1/02.

Mayor Maetzold made a motion appointing Becky Amlaw to serve on the Art Center Board for term to October 1, 2002. Member Housh seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

Mayor Maetzold made a motion appointing Allyson Grande to serve on the Park Board for term to October 1, 2002. Member Hovland seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

BOND SALE CALLED FOR DECEMBER 18, 2001 - PUBLIC PROJECT REVENUE BONDS - SERIES 2002 Assistant Manager Anderson presented a report detailing the proposed plan for the HRA \$10,220,000 in public project revenue bonds for the remodeling of the library for a new Public Safety Facility and improvements to City Hall. The sale of the bonds will occur on December 18, 2001, and close in January 2002. In September, the City certified a levy to the County of \$1,000,000 for payment of the debt. This term on the debt would be scheduled to be 15 years.

Final numbers would be forthcoming from the architects and may have to change the principal amount of the debt and the term of the bonds. Since the levy was certified in September at \$1,000,000, we can only extend the term of the debt to adjust for changes to the principal. Mr. Anderson stated that when final numbers on the Police Facility were received along with

preliminary numbers on City Hall, a Council workshop would be called to go through the numbers and review options for each facility.

Member Masica asked who the trustee would be for the disbursement of the Bond proceeds. Mark Ruff, Ehlers & Associates, said First Bank Trust would be that trustee. Ms. Masica inquired if this transaction would affect our Bond rating. Mr. Anderson explained typically on the Lease Revenue Bond Form of Financing, it would go down one grade lower in rating. Additionally, Standard and Poors requested updated financial reports on the City's tax increment districts. Upon receipt of these updates, they would consider upgrading Edina on our General Obligation debt.

Mr. Ruff concurred that there was no negative impact on the bond rating with this issue.

Mr. Anderson noted the tax implications for 15 years on a \$250,000 single family home would be \$40.00 per year, on a \$400,000 dollar home the cost would be \$49.00, and on a \$500,000 home, the cost per year would be \$81.00 per year.

Member Housh inquired if there was a connection between this and the project of a few years ago. Mr. Hughes responded there was a connection. He believes the Council at the time had the relocation to Grandview Square of the library in mind. Mr. Housh inquired when would the public hearing be posted. Attorney Gilligan answered notification must be given ten-days before the meeting. Mr. Housh asked if the scope of the discussion would be to determine the redevelopment area. Mr. Hughes stated two things would be considered at the meeting on December 18, 1) bid amounts received for the bonds, and 2) establishment of a geographic area. Mr. Hughes explained that information would be made available to the public in a variety of ways.

Commissioner/Member Hovland asked why a trustee was necessary. Mr. Gilligan indicated it was a means of security for the bonds and added this was the standard procedure.

Member Hovland introduced the following resolution and moved its adoption:

RESOLUTION NO. 2001-87

RESOLUTION PROVIDING FOR THE SALE OF

\$10,220,000 PUBLIC PROJECT REVENUE BONDS, SERIES 2002

BE IT RESOLVED by the City Council (the "City Council") of the City of Edina, Minnesota, (the "City") as follows:

3. Background

- 3.1 The City Council of the City of Edina, Minnesota, has heretofore determined that it is necessary and expedient to issue \$10,220,000 Public Project Revenue Bonds, Series 2001 (the "Bonds"), to finance police facility and City Hall improvements.**
- 3.2 The Bonds will be issued by the Edina Housing and Redevelopment Authority (the "Authority"). The City and the Authority will enter into a lease purchase agreement for the Project.**
- 3.3 The City has designated Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent financial advisor and is therefore authorized to solicit proposals in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9).**

4. Action

- 4.1 Authorization; Findings.** The City hereby authorizes Ehlers to solicit proposals for the sale of the Bonds.
- 4.2 Meeting; Proposal Opening.** The City Council shall meet at the time and place to be specified in the Terms of Proposal for the purpose of ratifying Authority action on the sale of the bonds and approving the lease and other agreements for the Project.
- 4.3 Terms of Proposal.** The terms and conditions of the Bonds and the sale thereof are fully set forth in the Bond Sale Report and are hereby approved and made a part hereof.
- 4.4 Official Statement.** In connection with said sale, the officers or employees of the City hereby authorized to cooperate with Ehlers and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the Authority upon its completion.

Adopted this 20th day of November 2001. Member Housh seconded the motion.

Ayes: Housh, Hovland, Masica, Maetzold

Motion carried.

***CLAIMS PAID** Member Housh made a motion and Member Masica seconded the motion approving payment of the following claims as shown in detail on the Check Register dated November 8, 2001, and consisting of 31 pages: General Fund \$110,191.74; CDBG Fund \$2,775.00; Communications Fund \$5,012.10; Working Capital Fund \$39,944.48; Construction Fund \$52,426.65; Art Center Fund \$8,403.98; Golf Dome Fund \$1,341.81; Aquatic Center Fund \$112.50; Golf Course Fund \$9,899.30; Ice Arena Fund \$5,702.89; Edinborough/ Centennial Lakes Fund \$9,392.43; Liquor Fund \$160,375.43; Utility Fund \$15,076.35; Storm Sewer Fund \$30,151.46; HRA Fund \$1,200,000.00; TOTAL \$1,650,806.12; and for approval of payment of claims dated November 15, 2001, and consisting of 28 pages: General Fund \$154,801.40; Communications Fund \$3,867.93; Working Capital Fund \$125,675.45; Construction Fund \$454,384.74; Art Center Fund \$4,669.47; Golf Dome Fund \$4,989.10; Aquatic Center Fund \$819.31; Golf Course Fund \$41,282.20; Ice Arena Fund \$23,192.41; Edinborough/Centennial Lakes Fund \$13,831.69; Liquor Fund \$114,836.62; Utility Fund \$342,777.51; Storm Sewer Fund \$96,123.80; Recycling Fund \$32,781.55; Payroll Fund \$380,000.00; TOTAL \$1,794,033.18.

Motion carried on rollcall vote – four ayes.

There being no further business on the Council Agenda, Mayor Maetzold declared the meeting adjourned at 9:40 P.M.

City Clerk